

IN RE: PETITION FOR ZONING VARIANCE
E/S Horn Avenue, 240' E of
the c/l of Belair Road
11th Election District
5th Councilmanic District
Orville M. Jones
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-264-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a windowed wall to tract boundary setback of 10 feet from the nearest tract boundary in lieu of the required 35 feet for proposed Lots 1, 2 and 3, and a window to property line setback of 10 feet in lieu of the required 15 feet for proposed Lots 1 and 2, in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by John B. Gontrum, Esquire. Also appearing on behalf of the Petition was J. Scott Dallas, Registered Property Line Surveyor. No Protestants appeared at the hearing; however, Patrick and Linda Harrigan submitted a letter of opposition to the relief requested dated February 18, 1991.

Testimony indicated that the subject property, known as 9529 Horn Avenue, consists of .53 acres split zoned D.R. 16 and is presently unimproved. Petitioner is desirous of subdividing the property into three lots as depicted on Petitioner's Exhibit 1 for development with three single family dwellings. Testimony indicated that due to the unique shape of the property, the relief requested is necessary in order to develop the property. Petitioner argued that strict compliance with the zoning regulations would create practical difficulty and unreasonable hardship and that development of the property in the manner proposed on Petitioner's Exhibit 1 will not create any detriment to the health, safety or general welfare of

the community. In support of his position, Petitioner introduced signed statements from the property owners adjoining proposed Lots 1 and 3 indicating their approval. In response to the objections voiced by the Harrigans, who reside on the adjoining property at 9525 Horn Avenue, Petitioner indicated he would be willing to screen Lot 2 along the property line abutting the Harrigans' property.

Subsequent to the hearing, after discussion with the Deputy Director of Planning, Petitioner submitted a revised site plan dated May 16, 1991 reconfiguring the parcels and subdividing the property into two lots instead of the originally proposed three lots. Said site plan has been incorporated into the case file and marked Petitioner's Exhibit A.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Solev*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R.

- 2 -

204
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **91-264-A**
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.2.a (BCZR), and V.B.5.a. (C.M.D.P.), TO PERMIT A WINDOWED WALL TO TRACT BOUNDARY SETBACK OF 10 FEET FROM THE NEAREST TRACT BOUNDARY IN LIEU OF THE REQUIRED 35 FEET FOR THE PROPOSED LOTS 1, 2 & 3, AND FROM V.B.6.b. (C.M.D.P.) TO PERMIT A 10 FOOT WINDOW TO PROPERTY LINE SETBACK IN LIEU OF THE REQUIRED 15 FEET FOR LOTS 1 & 2.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
THE EXISTING REQUIREMENTS WOULD ALLOW ONLY 1 SMALL DWELLING TO BE BUILT ON THE ENTIRE PROPERTY

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	ORVILLE M. JONES
Signature	<i>Orville M. Jones</i>
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	9533 BELAIR ROAD 256-6630
(Type or Print Name)	Address Phone No.
Signature	BALTIMORE, MARYLAND 21236
Address	City and State
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Attorney's Telephone No.:	Name
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____ 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock

_____ M.
FILED 11/9/90 BY JLL
ZONING HEARING
ANY TIME OK DAY

(over)

and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of May, 1991 that the Petition for Zoning Variance to permit a windowed wall to tract boundary setback of 10 feet from the nearest tract boundary in lieu of the required 35 feet for proposed Lots 1 and 2, and a window to property line setback of 10 feet in lieu of the required 15 feet for proposed Lots 1 and 2, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits for Lot 2, Petitioner shall submit a landscaping plan which has been approved by the Baltimore County Landscape Planner. The Baltimore County Landscape Planner shall allow the property owners of 9525 Horn Avenue, Mr. & Mrs. Patrick Harrigan, a minimum of thirty (30) days from the date of this Order in which to submit their suggestions for screening along that portion of Lot 2 which abuts the proposed dwelling and the existing dwelling at 9525 Horn Avenue. In the event the Harrigans do not submit a proposal within the specified time frame, the Baltimore County Landscape Planner may act solely upon the proposal submitted by Petitioner; however, the Landscape Planner need not be limited to the landscaping proposed by Petitioner.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this

- 3 -

case and set forth and address the restrictions of this Order.

ANN:bjs

ANN M. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 24, 1991

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
E/S Horn Avenue, 240' E of the c/l of Belair Road
(9529 Horn Avenue)
11th Election District - 5th Councilmanic District
Orville M. Jones - Petitioner
Case No. 91-264-A

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Mr. & Mrs. Patrick J. Harrigan
9545 Horn Avenue, Baltimore, Md. 21236
(Copy of Revised Site Plan Attached)

People's Counsel

File

ORVILLE JONES PROPERTY - HORN AVENUE

OCTOBER 30, 1990

ZONING DESCRIPTION LOT 1

BEGINNING for the same at a point in or near the bed of the existing paving of Horn Avenue at the distance of 177 feet, more or less, in a southeasterly direction from the southeast side of Belair Road as shown on Baltimore County Bureau of Land Acquisition Plat No. RW 82-334-1 thence running with and binding in or near the bed of the existing paving of said Horn Avenue (1) South 01 degrees 11 minutes West 42.00 feet thence leaving said Avenue and running the four following courses and distances (2) South 66 degrees 10 minutes 30 seconds East 72.88 feet (3) South 70 degrees 40 minutes 00 seconds East 115.00 feet (4) North 46 degrees 27 minutes 28 seconds West 208.00 feet and (5) South 34 degrees 52 minutes 00 seconds West 41.18 feet to the place of beginning.

CONTAINING 0.19 acres of land, more or less.



ORVILLE JONES PROPERTY - HORN AVENUE

OCTOBER 30, 1990

ZONING DESCRIPTION LOT 2

BEGINNING for the same at a point in or near the bed of the existing paving of Horn Avenue, at the distance of 240 feet, more or less in a southeasterly direction from the southeast side of Belair Road as shown on Baltimore County Bureau of Land Acquisition Plat No. RW 82-334-1 thence running with and binding in or near the bed of the existing paving of said Horn Avenue (1) South 18 degrees 10 minutes 00 seconds West 54.02 feet thence leaving said Horn Avenue and running the four following courses and distances (2) South 70 degrees 40 minutes 00 seconds East 120.00 feet (3) North 19 degrees 20 minutes 00 seconds East 48.65 feet (4) North 70 degrees 40 minutes 00 seconds West 52.87 feet and (5) North 66 degrees 10 minutes 30 seconds West 68.44 feet to the place of beginning.

CONTAINING 0.14 acres of land, more or less.



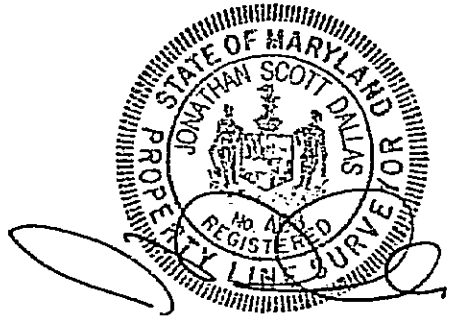
ORVILLE JONES PROPERTY - HORN AVENUE
ZONING DESCRIPTION LOT 3

OCTOBER 30, 1990

91-264-A

BEGINNING for the same at a point in or near the bed of the existing paving of Horn Avenue at the distance of 219 feet, more or less, in a southeasterly direction from the southeast side of Belair Road as shown on Baltimore County Bureau of Land Acquisition Plat No. RW 82-344-1 thence running with and being in or near the bed of the existing paving of said Horn Avenue the two following courses and distances: (1) South 01 degrees 11 minutes 00 seconds West 11.04 feet and (2) South 18 degrees 10 minutes 00 seconds West 9.86 feet thence leaving said Horn Avenue and running the 9 following courses and distances: (3) South 56 degrees 10 minutes 30 seconds East 58.44 feet (4) South 70 degrees 40 minutes 00 seconds East 52.87 feet (5) South 19 degrees 20 minutes 00 seconds East 48.65 feet (6) South 70 degrees 40 minutes 00 seconds West 30.71 feet (7) North 17 degrees 16 minutes 17 seconds East 56.11 feet (8) North 46 degrees 27 minutes 28 seconds West 30.71 feet (9) North 70 degrees 40 minutes 00 seconds West 115.00 feet and (10) North 66 degrees 10 minutes 30 seconds West 72.86 feet to the place of beginning.

CONTAINING 0.20 acres of land, more or less.

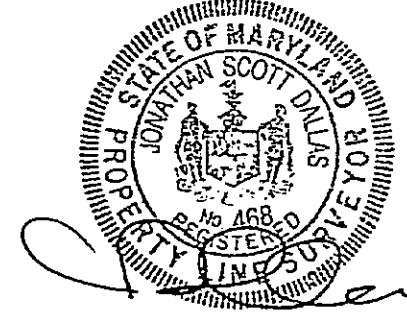


ORVILLE JONES PROPERTY - HORN AVENUE
ZONING DESCRIPTION LOT 1

May 10, 1991

BEGINNING for the same at a point in or near the bed of the existing paving of Horn Avenue at the distance of 244 feet, more or less, in a southeasterly direction from the southeast side of Belair Road as shown on Baltimore County Bureau of Land Acquisition Plat No. RW 82-344-1 thence running with and being in or near the bed of the existing paving of said Horn Avenue (1) South 18 degrees 10 minutes West 50.01 feet thence leaving said Avenue and running the three following courses and distances: (2) South 70 degrees 40 minutes East 212.94 feet (3) North 17 degrees 16 minutes 17 seconds East 50.03 feet and (4) North 70 degrees 40 minutes West 212.16 feet to the place of beginning.

CONTAINING 0.24 acres of land, more or less.

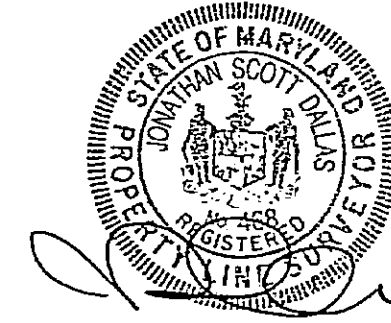


ORVILLE JONES PROPERTY - HORN AVENUE
ZONING DESCRIPTION LOT 2

May 10, 1991

BEGINNING for the same at a point in or near the bed of the existing paving of Horn Avenue at the distance of 177 feet, more or less, in a southeasterly direction from the southeast side of Belair Road as shown on Baltimore County Bureau of Land Acquisition Plat No. RW 82-344-1 thence running with and being in or near the bed of the existing paving of said Horn Avenue the two following corners and distances: (1) South 01 degrees 11 minutes West 53.04 feet and (2) South 18 degrees 10 minutes West 13.87 feet thence leaving said Avenue and running the four following courses and distances: (3) South 70 degrees 40 minutes East 212.16 feet (4) North 17 degrees 16 minutes 17 seconds East 6.08 feet (5) North 46 degrees 27 minutes 28 seconds West 238.71 feet and (6) South 34 degrees 52 minutes West 41.18 feet to the place of beginning.

CONTAINING 0.28 acres of land, more or less.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

91-264-A

District: 11th
Posted for: Orville M. Jones Date of Posting: 2/18/91
Petitioner: Orville M. Jones
Location of property: 111 W. Chesapeake Avenue, Room 106, Towson, Md. 21204
Location of Sign: Leaving Horn Avenue, opposite to E. of Belair Road
Remarks: properly signed by Orville M. Jones
Posted by: Orville M. Jones Signature: Orville M. Jones Date of return: 2/18/91
Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 11:30 a.m. on Tuesday, February 19, 1991 at 11:30 a.m.

Case Number: 91-264-A
E of Belair Road, 240' (+/-) E of c/l Belair Road
11th Election District - 5th Councilmanic
Petitioner(s): Orville M. Jones
Hearing Date: Tuesday, Feb. 19, 1991 at 11:30 a.m.
Variance to permit a windowed wall to tract boundary setback of 10 ft. from the nearest tract boundary in lieu of the required 15 ft. for the proposed lots 1, 2 and 3; and to permit a 10 ft. window to property line setback in lieu of the required 15 ft. for lots 1 and 2.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
N31205 Jan. 17

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-17, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-17, 1991.

THE JEFFERSONIAN,

S. Zehe Orlan
Publisher

\$ 70.76

CERTIFICATE OF PUBLICATION

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J. ROBERT HAINES
Zoning Commissioner of Baltimore County
N31205 Jan. 17

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-17, 1991.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zehe Orlan
Publisher

\$ 70.76

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

No 3884
3840

Date: 1/14/91
Paid per hand-written receipt dated 1/14/90
M#13084

DESCRIPTION	QTY	PRICE
PUBLIC HEARING FEES		
VAR. HEARING VARIANCE (1RL)	3 X	\$25.00
TOTAL:		\$105.00

LAST NAME OF OWNER: JONES

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 1/29/91

Orville M. Jones
9533 Belair Road
Baltimore, Maryland 21236

RE:
Case Number: 91-264-A
E of Belair Road, 240' (+/-) E of c/l Belair Road
11th Election District - 5th Councilmanic
Petitioner(s): Orville M. Jones
HEARING: TUESDAY, FEBRUARY 19, 1991 at 11:30 a.m.

Dear Petitioner(s):

Please be advised that \$ 95.76 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) SUBMITTED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204 (15) minutes before your hearing is scheduled to begin.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt

91-264

Date

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

N. 3840
3884

Date: 1/19/90

Item #204

FLUOR-FEE
3.00 PER VARIANCE \$ 35.00 EACH
105.00 TOTAL

Due: 1/19/90
\$ 105.00

Please make checks payable to: Baltimore County

Baltimore County Government
Zoning Commission
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

February 6, 1991

Mr. Orville M. Jones
9513 Belair Road
Baltimore, MD 21236

RE: Item No. 204, Case No. 91-264-A
Petitioner: Orville M. Jones
Petition for Zoning Variance

Dear Mr. Jones:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINDARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Baltimore County Government
Zoning Commission
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204
887-3353

Your petition has been received and accepted for filing this 5th day of December, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

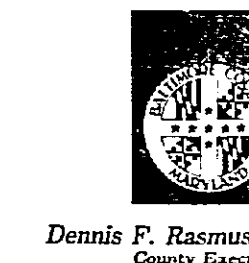
James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Orville M. Jones

Petitioner's Attorney:

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(801) 887-3554

November 28, 1990



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 187, 200, 203, 204, 206, 208, 210, 211, and 212.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

NSF/lab

received
12/13/90

Baltimore County
Fire Department
700 East Joppa Road, Suite 101
Towson, Maryland 21204-3300
(410) 887-1400
Fax: 887-1400

NOVEMBER 28, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ORVILLE M. JONES
Location: E/S HORN AVENUE
Item No.: 204 Zoning Agenda: DECEMBER 4, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. PROPOSED PANHANDLE DRIVEWAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH BALTIMORE COUNTY COUNCIL BILL NO. 172-89 AND RESOLUTION NO. 52-89

REVIEWER: *Carl J. Long* 11-28-90 Noted and Approved: *Robert H. Dwyer*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

received
11/22/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
November 30, 1990
TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 204
PROPERTY OWNER: Orville M. Jones
LOCATION: E/S Horn Avenue, 240' (+/-) E of centerline
Belair Road
ELECTION DISTRICT: 11th
COUNCILMANIC DISTRICT: 5th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 101.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

UTILITIES IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 (BALTIMORE COUNTY BUILDING CODE).

FOR MORE INFORMATION, PER 3, ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS SERVICE OFFERS ONLY WATER ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE REQUESTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-89

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
TO: Zoning Advisory Committee DATE: November 27, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for December 4, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 200, 206, 208, 210 and 211.

For Items 187 and 212, the previous County Review Group Comments are still applicable.

For Item 203, the correct plat reference is Plat Book 9, Folio 4. Also, the east and west property line dimensions appear to be reversed.

For Item 204, the site must be submitted through the minor subdivision process for review and comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: February 13, 1991
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Orville M. Jones, Item No. 204

In reference to the petitioner's request, staff offers the following comments:

- The proposed panhandle lots are inconsistent with the Planning Board's objective of maintaining adequate privacy and yard space between buildings.

An effort by staff to examine the suitability of siting lots on this parcel determined that even two lots would provide inadequate privacy. Therefore, this office feels that only one home is appropriate for this site, and recommends the applicant's request be denied.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM204/2AC1

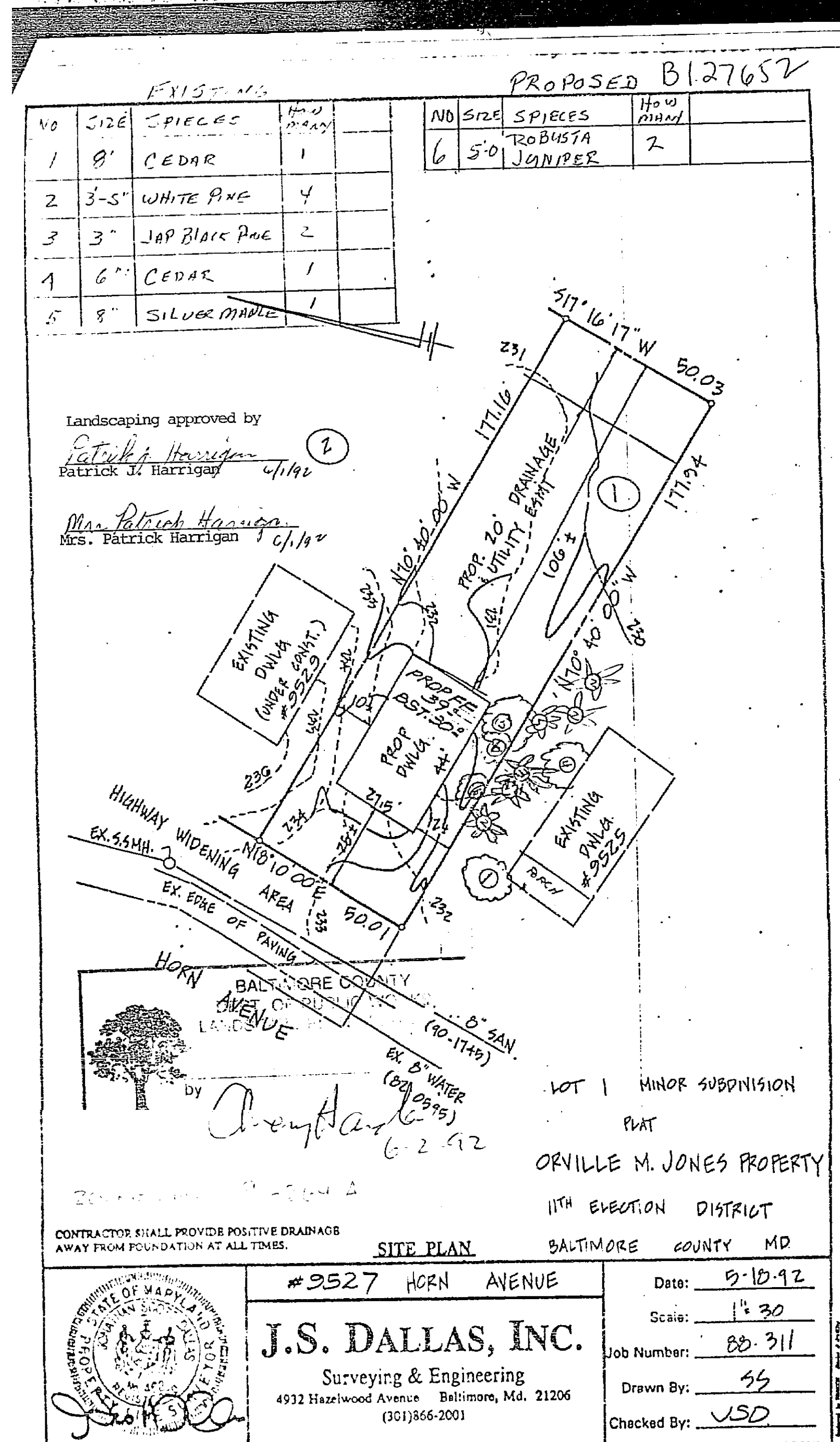
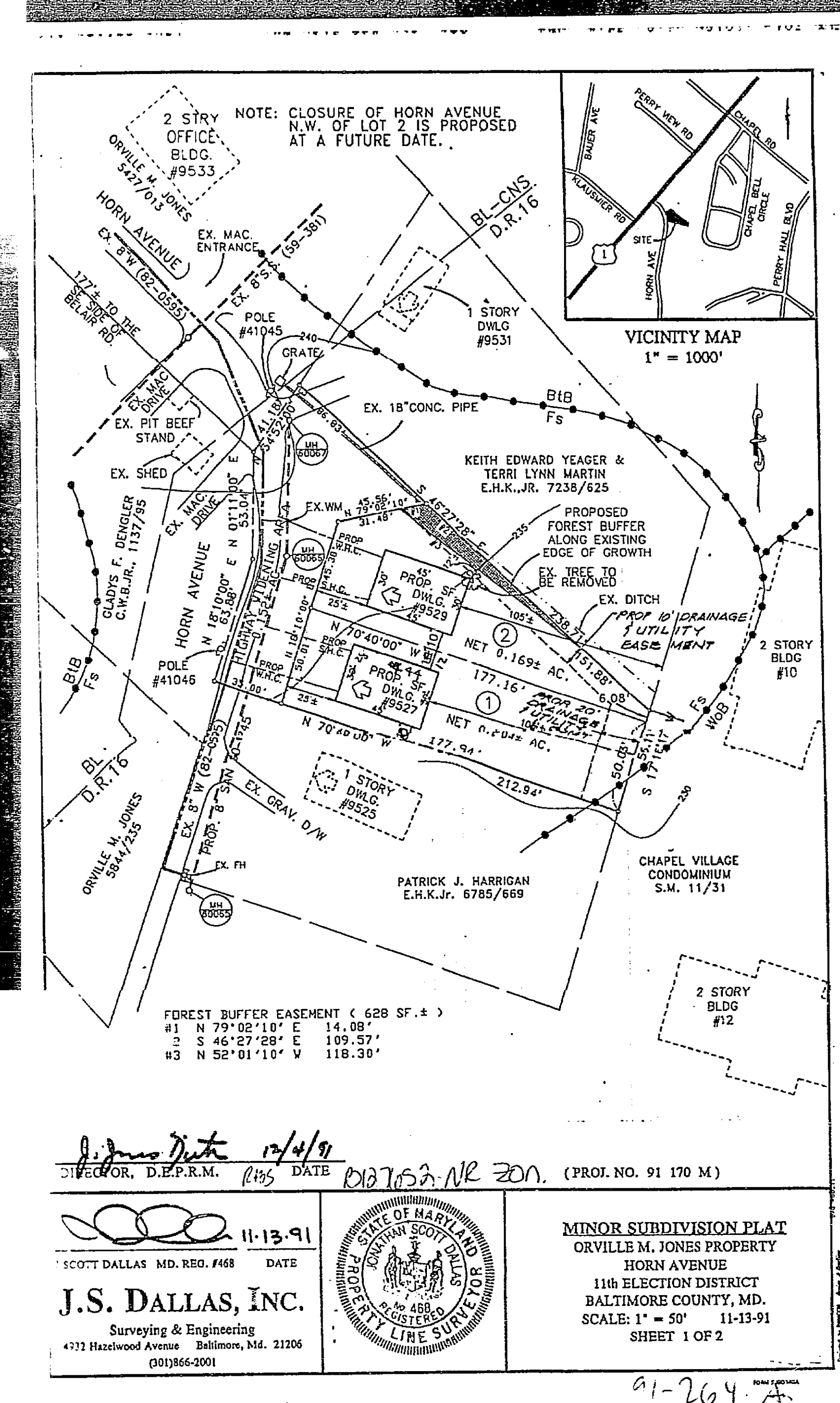
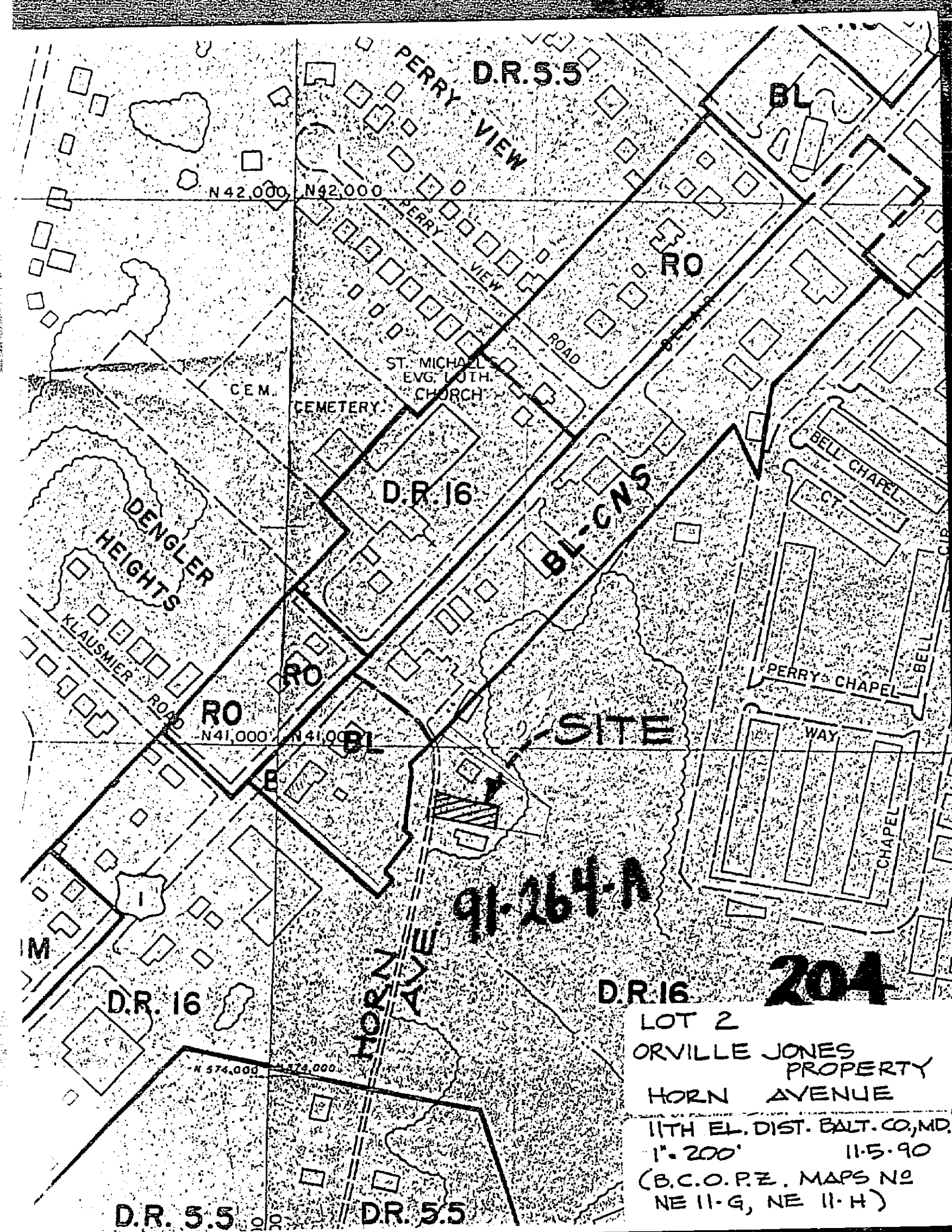
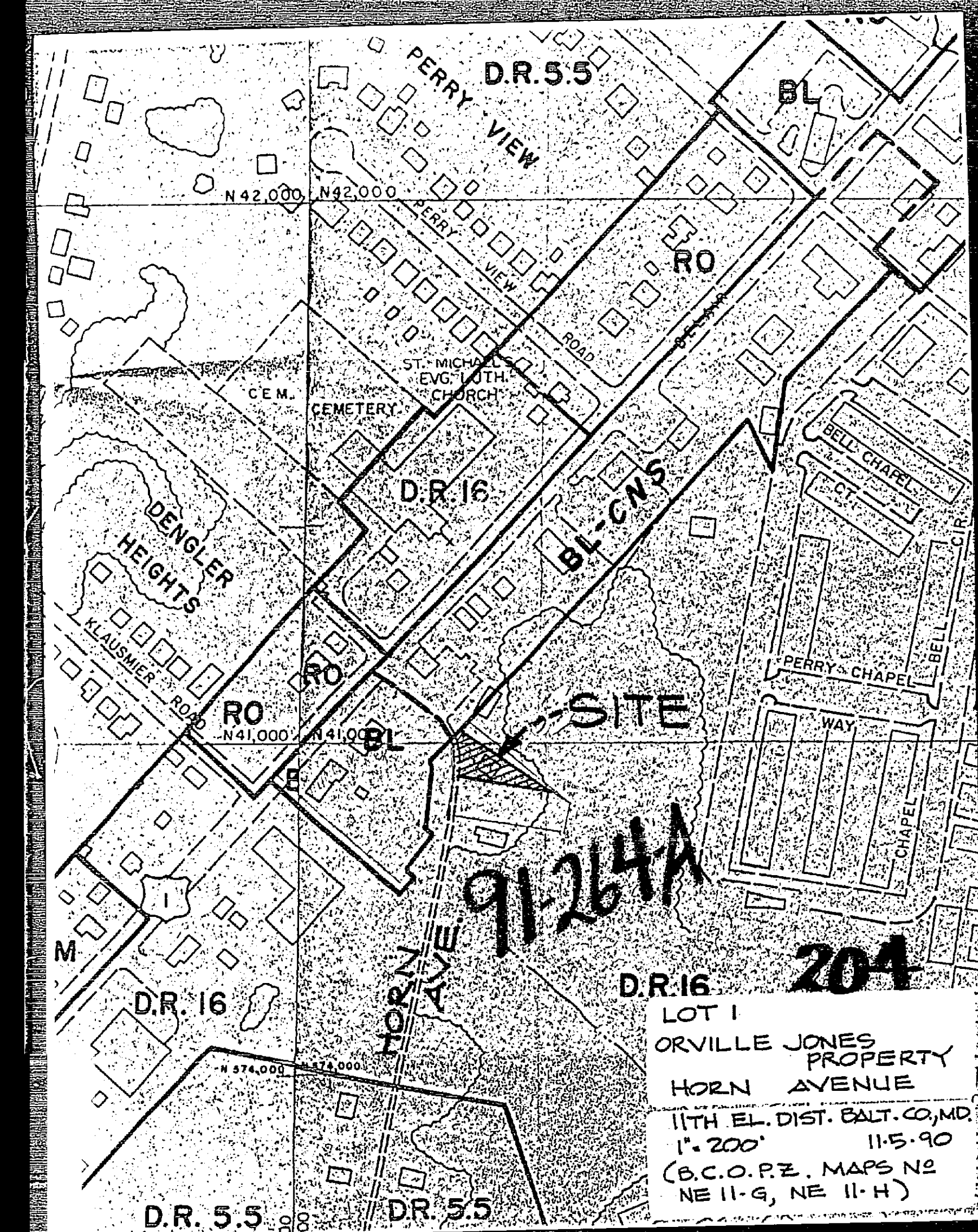
BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMO

TO: Avery Harden Date: May 14, 1992
Landscape Planner
FROM: Larry Goetz
Planner I
SUBJECT: 9527 Horn Avenue, Variance 91-264-A
Permit No.: B127652

Attached is a copy of above captioned variance and a site plan showing the area requiring screening for a residential buffer.

Upon approval of the landscape plan, please give applicant a copy of submission to zoning referencing building permit and variance numbers.

LG/saw



My name is Keith Yeager, and I reside at 9531 Horn Avenue, adjacent to the property owned by Orville Jones on Horn Avenue in the 5th Council district of Baltimore County.

I have had the opportunity to review the site plan filed with the variance requests for the property in Case No. 91-264-A, and I have no objection to the variances requested for window to tract boundary or for window to property boundary. I have no objection to the lot layout provided that development complies with Baltimore County development requirements.

Date: 2/15/91 Keith C. Yeager

PETITIONER'S EXHIBIT

My name is Terri Lynn Yeager, and I reside at 9531 Horn Avenue, adjacent to the property owned by Orville Jones on Horn Avenue in the 5th Council district of Baltimore County.

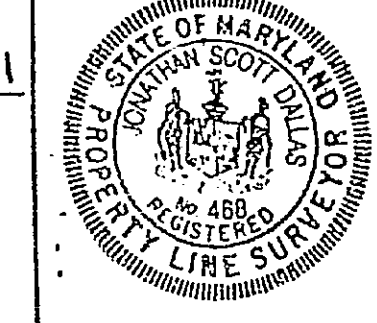
I have had the opportunity to review the site plan filed with the variance requests for the property in Case No. 91-264-A, and I have no objection to the variances requested for window to tract boundary or for window to property boundary. I have no objection to the lot layout provided that development complies with Baltimore County development requirements.

Date: 2/15/91 Terri Lynn Yeager

PETITIONER'S EXHIBIT

Director, D.E.P.R.M. 12/4/91 DATE 12/15/91 (PROJ. NO. 91 170 M)

SCOTT DALLAS MD. REG. #468 DATE 11-13-91
J.S. DALLAS, INC.
 Surveying & Engineering
 4932 Hazelwood Avenue Baltimore, Md. 21206
 (301)866-2001



MINOR SUBDIVISION PLAT
 ORVILLE M. JONES PROPERTY
 HORN AVENUE
 11TH ELECTION DISTRICT
 BALTIMORE COUNTY, MD.
 SCALE: 1" = 50'
 SHEET 1 OF 2

91-264-A

1. EXISTING ZONING OF SITE IS R.R.10.
2. GROSS AREA OF SITE 0.033 AC.
3. OUTLINE HEREON PER SURVEY DATED
3-25-30 (FORRER PROPERTY) BY
FRANK S. LEE

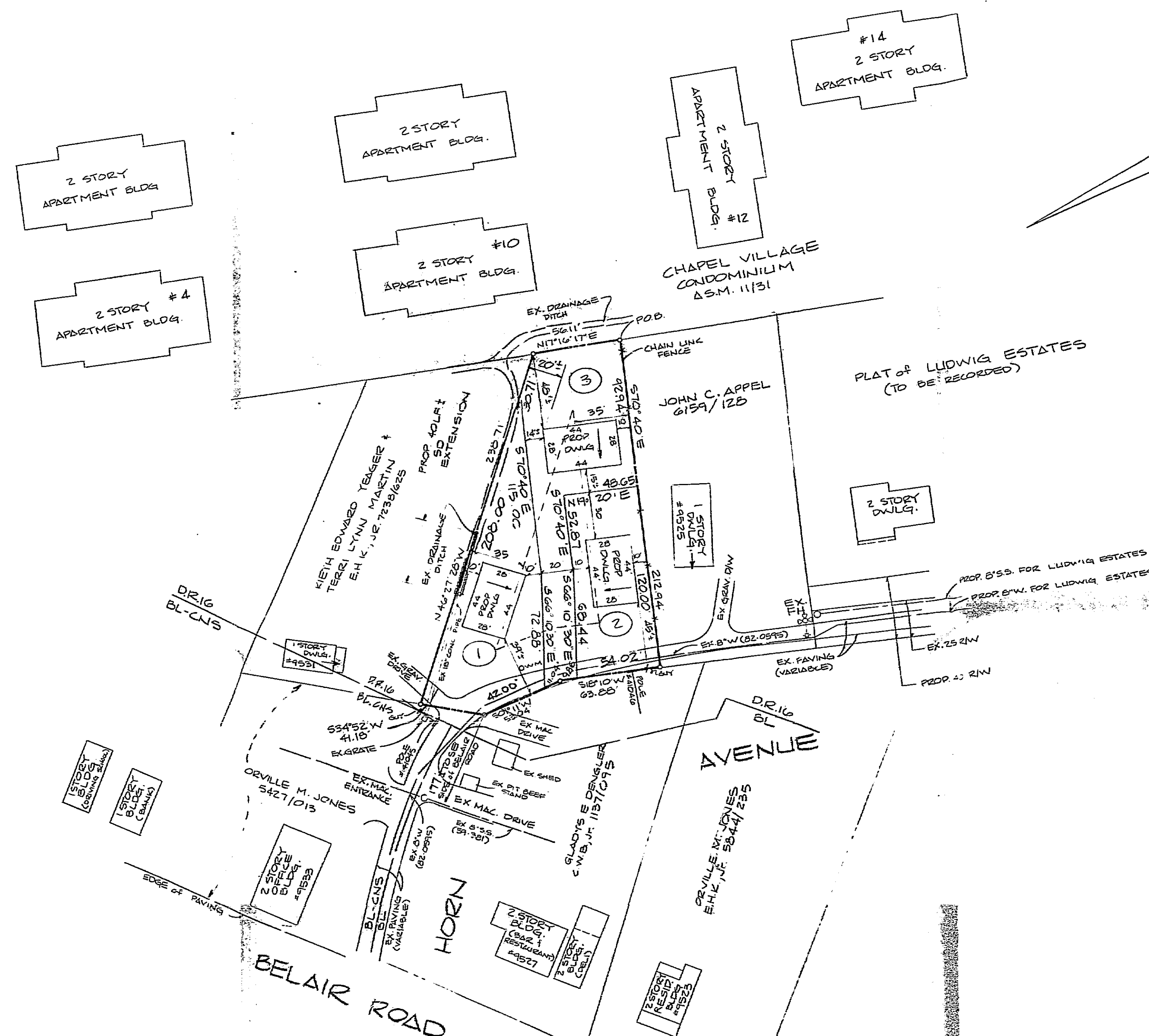
LINE NO	DATE	AC	FF
1	0.17	8269	
2	0.14	6045	
3	0.20	8570	

5. NO KNOWN R/W OR PUBLIC DEDICATION FOR EXISTING HORN AVENUE.

6. PUBLIC SEWER (BY OTHERS) IS PLANNED ALONG SITE FRONTAGE. PRIVATE ESMT IS POSSIBLE FOR TEMP. SHC THRU OTHER PROPERTY OF DEVELOPER (5427/013).

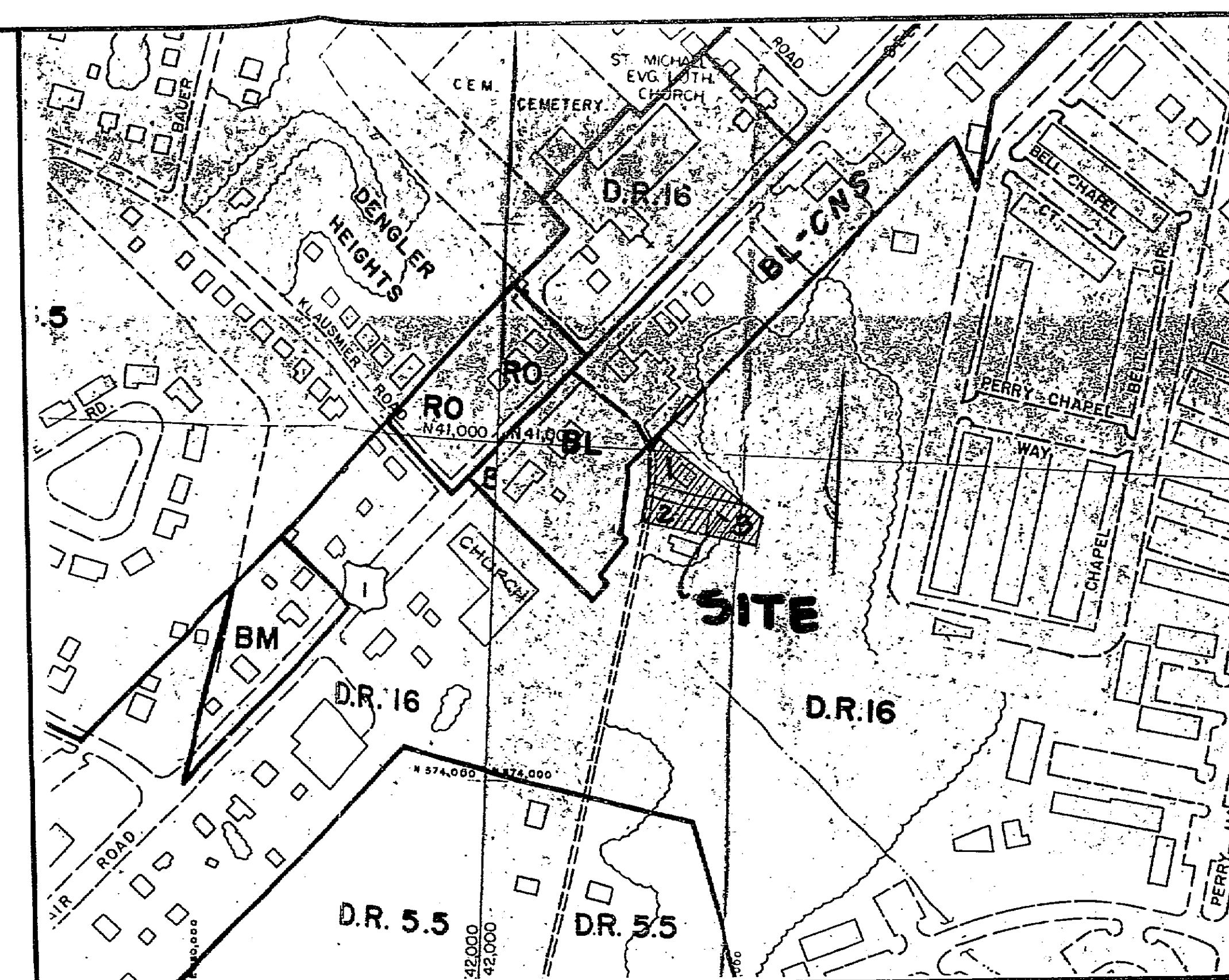
1. LOTS PERMITTED = $(0.53) \times (16) = 8.48$
8 LOTS

2 LOTS PROPOSED = 3 LOTS



1. Lots 1, 2 and 3 - Variance from Section 1B01.2.C.2.a. (B.C.Z.R.) and V.B.5.a. (C.M.D.P.) to permit a windowed wall to tract boundary setback of 10 feet from the nearest tract boundary in lieu of the required 35 feet.
2. Lots 1 and 2 - Variance from V.B.6.b. (C.M.D.P.) to permit a 10 foot window to property line setback in lieu of the required 15 feet.

J.S. DALLAS, INC.
Surveying & Engineering
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Baltimore, Md. 21206
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LOCATION MAP TAKEN FROM BALTIMORE COUNTY OFFICE OF
PLANNING & ZONING MAP NO NE11-G & NE11-H)

ORVILLE JONES PROPERTY - HORN AVENUE OCTOBER 30, 1990

ZONING DESCRIPTION LOT 1

BEGINNING for the same at a point in or near the bed of the
existing paving of Horn Avenue at the distance of 177 feet more or
less to a southeasterly direction from the southeast side of
Belair Road as shown on Baltimore County Bureau of Land Acquisition
Plat No. RM 02-934-1 the course running with and binding in or near the
bed of the existing paving of said Horn Avenue (1) South 01 degrees
11 minutes West following directly from the above starting point
the following courses and distances (2) South 66 degrees 10
minutes 30 seconds East 72

CONTAINING 0.19 acres of land, more or less.

ORVILLE JONES PROPERTY - HORN AVENUE OCTOBER 30, 1999

ZONING DESCRIPTION LOT 2

BEGINNING for the same at a point in or near the bed of the
existing paving of Horn Avenue, at the distance of 240 feet, more
or less, to a southern station on the southeast side of
Belair Road as shown on Baltimore County Bureau of Land Acquisition
Plan No. BM 22-334-1 thence running with and along the line of
the existing paving of Horn Avenue (1) South 18 degrees
10 minutes 00 seconds West 54.02 feet thence leaving said Horn
Avenue and running the four following courses and

CONTAINING 0.14 acres of land, more or less.

ORVILLE JONES PROPERTY - HORN AVENUE

ZONING DESCRIPTION LOT

beginning for the same at a point in or near the bed of the
existing paving of North Avenue at the distance of 210 feet, more or
less, in a northeasterly direction, to the intersection of the
center line of said North Avenue with the center line of said
Plat. No. RM 82-34-1, then running with the center line of said
Plat. No. RM 82-34-1 to the intersection of said North Avenue the two following
courses and distances: (1) South 01 degrees

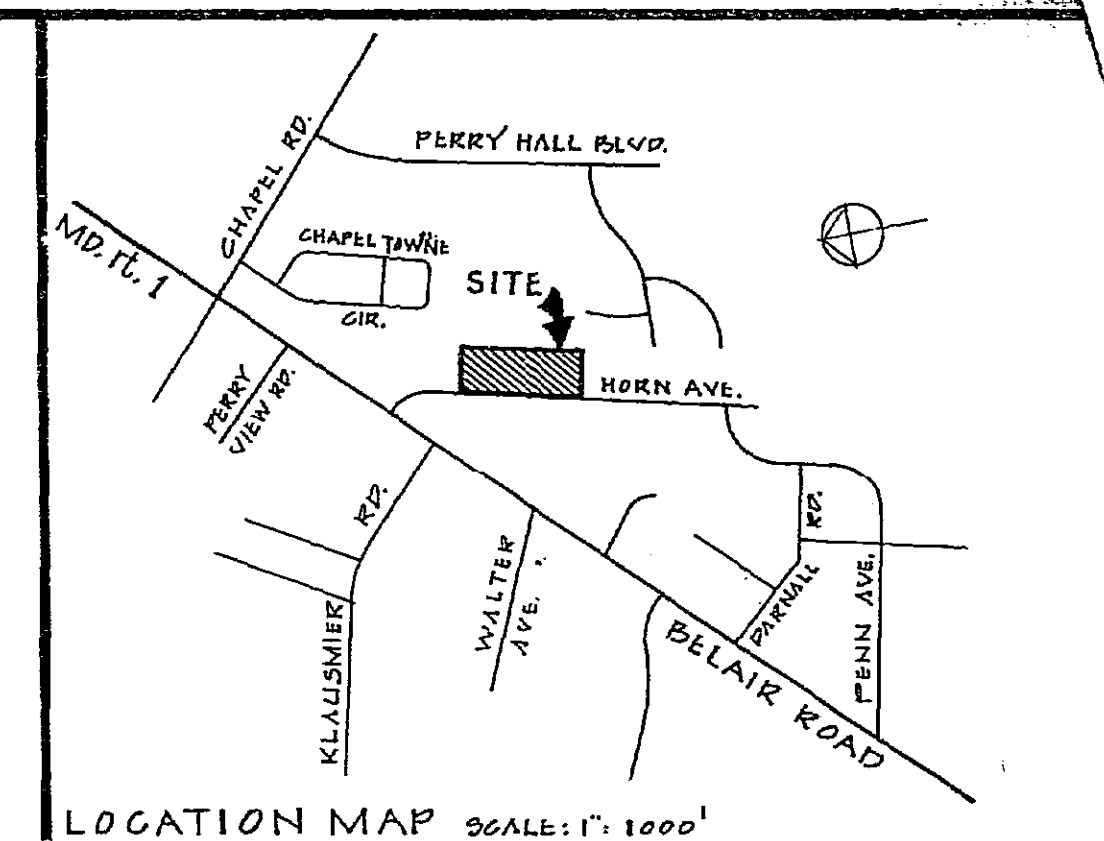
CONTAINING 0.20 acres of land, more or less.

91-264-A 204

PLAT TO ACCOMPANY ZONING
PETITIONS
ORVILLE M JONES PROPERTY
0930 HORN AVENUE
ELECTION DISTRICT
BALTIMORE COUNTY MD
SCALE: 1"=50' N.E. 1/4

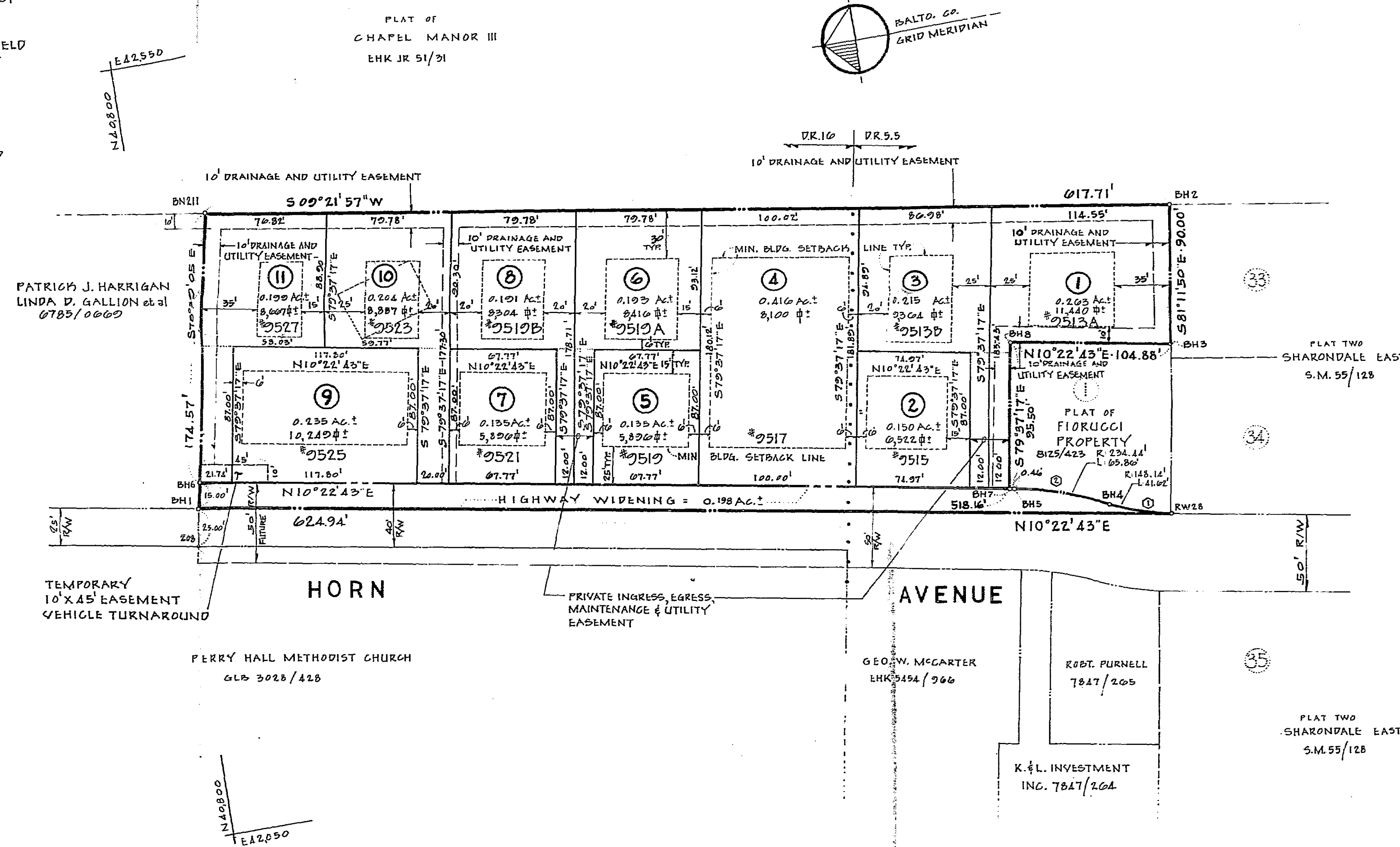
NO.	NORTH	EAST
BH11	40752.01	42450.21
BH12	40751.60	42451.77
BH13	40750.31	42454.35
BH14	40749.53	42457.09
BH15	40748.30	42460.75
BH16	40747.05	42464.88
BH17	40746.23	42468.63
BH18	40745.30	42472.00
BH19	40744.68	42475.71
BH20	40744.47	42479.64
BH21	40744.25	42483.84

CURVE	FROM	TO	RADIUS	LENGTH	Δ	TANGENT	CHORD
①	RW28	BH4	148.14'	41.62'	10°05'50"	20.94'	N18°25'39"E 41.48'
②	BH4	BH5	232.44'	65.86'	10°06'50"	33.15'	N18°25'39"E 65.04'



GENERAL NOTES: CONT.

26. STREETS AND/OR ROADS SHOWN HEREON AND MENTIONED THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE TO THE EDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.
27. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPT. OF PUBLIC WORKS.
28. THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES CONTAINED IN THE WATER QUALITY MANAGEMENT POLICY.
29. THE HYDRO SOIL LIMITS HAVE BEEN DETERMINED FROM FIELD INSPECTION BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION. NO GRADING, CLEARING OR CONSTRUCTION WILL BE CONDUCTED IN THIS AREA EXCEPT AS PERMITTED IN THE WATER QUALITY MANAGEMENT POLICY.
30. COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT BASED ON THE FOLLOWING TRANSVERSE STATIONS:
X-6111 N 39059.21 E 40779.95
SOUTH AZIMUTH TO X-6100 44°26'11"
31. ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100 YEAR WATER SURFACE.



GENERAL NOTES: (THIS TRACT)

1. GROSS AREA OF TRACT: 2.678 AC. NET AREA: 2.336 AC.
2. EXISTING ZONING: DR 5.5 (0.748 AC.) & DR 16 (1.430 AC.)
3. PRESENT USE: VACANT LOT
4. PROPOSED: 11 SINGLE FAMILY DETACHED UNITS
5. DENSITY CALCULATIONS:
a. DR 5.5 DWLG. UNITS ALLOWED = 4.11 = 0.748 AC. X 5.5 : PROPOSED = 3 DWLG. UNITS
b. DR 16 DENSITY UNITS ALLOWED = 20.50 = 1.430 AC. X 14 DWLG./AC. : PROPOSED = 12 DENSITY UNITS = 1.5 DENSITY UNIT / 3.000 AC. : DWLG. X 1.5 DENSITY UNIT = 2.25 DENSITY UNIT
6. MINIMUM AREA OF LOTS: DR 5.5 = 2,500 SQ. FT. : DR 16 = 2,500 SQ. FT.
7. ALL DWELLING UNITS WILL BE SOLD (3) OFFSTREET PER DWLG. DR 16
8. NUMBER OF PARKING SPACES REQUIRED: 12 OFFSTREET PER DWLG. DR 5.5
9. NUMBER OF PARKING SPACES PROPOSED: 12
10. OPEN SPACE REQUIRED: NONE (W/AVENUE APPROVED: 1-20-88)
11. OPEN SPACE PROPOSED: 0
12. WATERSHED NO. 6
13. DRAINAGE AREA: HONEYGO RUN
14. PANHANDLE DRIVES WILL BE MAINTAINED BY THE OWNERS OF THE LOT SERVED
15. TOTAL AREA OF ROAD DEDICATION: 0.198 AC.
16. ALL RIGHT-OF-WAYS, EASEMENTS, RESERVATIONS, ETC. TO BE DEDICATED TO BALTO. CO.
17. HIGHWAY AND HIGHWAY WIDENING, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, AND STORMWATER MANAGEMENT AREAS NO MATTER HOW LITTLER, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MD. THE OWNER, HIS PERSONAL REPRESENTATIVES & ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTO. CO. MD. AT NO COST.
18. RECORDING OF THE PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
19. THE PLAT MAY EXPIRE IN ACCORDANCE WITH PROVISIONS OF SECTION 22-60
20. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTO. CO.
21. THE INFORMATION SHOWN MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
22. ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPT. OF PUBLIC WORKS.
23. DATE OF C.R.G. APPROVAL: 8-19-88
24. OWNER: K&L INVESTMENT INC. DEED REFERENCE: 8260/285
25. NUMBER OF PROPOSED LOTS: 11
26. CENSUS TRACT: 4113-03
27. COUNCILMANIC DISTRICT: 5
28. THE RESTRICTIVE COVENANTS ESTABLISHING CROSS EASEMENTS OVER THE PANHANDLES FOR ACCESS OVER AND MAINTENANCE OF THE COMMON PANHANDLE DRIVEWAYS AND INSTALLATION AND MAINTENANCE OF PRIVATE WATER AND OR SEWER CONNECTIONS HAVE BEEN FILED.
29. EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY, INCLUDING THE MINIMUM SETBACK OF 22 FEET TO BE HELD FROM THE STREET RIGHT-OF-WAY LINE TO THE GARAGE OR CARPORT ENTERED DIRECTLY FROM THE STREET.
30. TRASH COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND STREET RIGHT-OF-WAY
31. TAX ACCOUNT NO.: PART OF 21-00-005013

EXHIBIT 3
LUDWIG ESTATES

ELECTION DISTRICT ELEVEN

BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 50'

AUG. 18, 1989

APPROVED: BALTIMORE CO. OFFICE OF PLANNING & ZONING

BY:	DIRECTOR
FORWARDED:	BALTIMORE CO. DEPT. OF PUBLIC WORKS
BY:	DIRECTOR
FORWARDED:	BALTIMORE CO. DEPT. OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
BY:	DIRECTOR

*118906 5/11/89

SURVEYORS CERTIFICATE
THE UNDERSIGNED, A REGISTERED LAND SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THAT THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SECTION 9-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERNS THE MARKING OF THE PLAT AND THE SETTING OF THE MARKERS.
Steve K. Broyles
STEVEN K. BROYLES, S.S., 10820 DATE 8-8-89

OWNERS CERTIFICATE
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (c) OF SECTION 9-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERNS THE MARKING OF THE PLAT AND SETTING OF THE MARKERS.
K&L Investment Inc.
K&L INVESTMENT INC. DATE 8-18-89

SEAL

BROYLES, HAYES & ASSOC.

ENGINEERS-PLANNERS-SURVEYORS
1922 MIDDLEBOROUGH ROAD
BALTO. MD. 21221
574 2227

DESIGNED: S.K.B. DRAWN: K.E.C. CHECKED: S.K.B.

2627 235-236.